

# ARNOLD & PORTER

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555 Twelfth Street, NW  
Washington, DC 20004-1206



June 7, 2002

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JUN 11 2002

Commissioner for Patents  
Washington, DC 20231

TECH CENTER 1600 2900

Re: U.S. Application No. 09 849,526  
Filed: May 7, 2001  
Title: ***Nucleic Acid Molecules and Other Molecules Associated  
Plants***  
Inventors: Thomas G. RUFF, *et al.*  
Atty. Docket: 16517.250

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office (PTO):

1. Request for Corrected Filing Receipt;
2. a copy of the Filing Receipt with corrections indicated in red; and
3. a return postcard.

Please stamp the attached postcard with the filing date of these documents and return it to our courier.

Applicants do not believe that any fees are due in conjunction with this filing. If, however, any fees are due in conjunction with this filing, the Commissioner is hereby authorized to charge the fees to Arnold & Porter Deposit Account No. 50-1824 referencing docket number 16517.250. A duplicate copy of this letter is enclosed.

Very truly yours,

A handwritten signature in black ink, appearing to read "David R. Marsh".

David R. Marsh (Reg. No. 41,408)  
June E. Cohan (Reg. No. 43,741)

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas G. RUFF, et al.

Appln. No.: 09 849.526

Filed: May 7, 2001

Group Art Unit: 1653

Examiner: To Be Assigned

Atty. Docket: 16517.250

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Title: **Nucleic Acid Molecules and Other Molecules Associated Plants**

JUN 13 2002

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**REQUEST FOR CORRECTED FILING RECEIPT**

Commissioner for Patents  
Washington, D.C. 20231

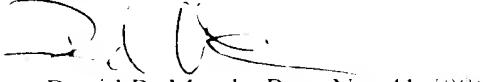
Sir:

Attached is a copy of the Updated Official Filing Receipt mailed May 23, 2002, issued by the U.S. Patent and Trademark Office for the above-referenced application for which issuance of a corrected filing receipt is respectfully requested. It is noted that there is an error with respect to the domestic priority data. It should read as follows:

**THIS APPLN CLAIMS BENEFIT OF 60/202,214 05/08/2000, OF 09/654,617  
09/05/2000, OF 09/684,016 10/10/2000, AND OF 09/816,660 03/26/2001**

Applicants believe that because this is a Patent Office error, no fee is due. However, if any charges are deemed appropriate, Applicants hereby authorize the Commissioner to charge any fee deficiency and or credit any overpayment to our Deposit Account No. 50-1824, referencing matter no. 16517.250.

Respectfully submitted,

  
David R. Marsh (Reg. No. 41,408)  
June E. Cohan (Reg. No. 43,741)

Date: June 7, 2002

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JWR



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
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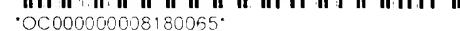
APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
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09/849,526	05/07/2001	1653	710	16617250	[38-21 (51930)B]	11	3
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28381  
 ARNOLD & PORTER  
 IP DOCKETING DEPARTMENT, RM 1126(b)  
 555 12TH STREET, N.W.  
 WASHINGTON, DC 20004-1206



CONFIRMATION NO. 7991  
 RECEIVED, UPDATED FILING RECEIPT



OC000000008180065

JUN 12 2002

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Date Mailed: 05/23/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Thomas G. Ruff, Wildwood, MO.  
 Hridayabhiranjan Shukla, Ballwin, MO.

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 DOCKET DEPT.  
 ARNOLD & PORTER

MAY 28 2002

WASHINGTON, D.C.

## Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/202,214 05/08/2000

## Foreign Applications

If Required, Foreign Filing License Granted 10/05/2001

Projected Publication Date: Request for Non-Publication Acknowledged

Non-Publication Request: Yes

Early Publication Request: No

## Title

Nucleic acid molecules and other molecules associated with plants

## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20591  
(703) 305-8000

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO. TITLE
09 849,526	05 07 2001	Thomas G. Ruff	16517.250 [38-21 (51930)B

28381  
ARNOLD & PORTER  
IP DOCKETING DEPARTMENT: RM 1126(b)  
555 12TH STREET, N.W.  
WASHINGTON, DC 20004-1206

FILE COPY CONFIRMATION NO. 7991 RECEIVED

OC000000008266091

JUN 13 2002

TECH CENTER 1600 2900

Date Mailed: 06/11/2002

### RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

#### Domestic Continuity and Foreign Priority

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

The priority or continuity claim has not been entered because it was not filed during the required time period. Applicant may wish to consider filing a petition to accept an unintentionally delayed claim for priority. See 37 CFR 1.55 or 1.78.

Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an Application Data Sheet or amendment to the first page of the specification.

SERIAL NUMBER 09/654 617 09/05/2000 09/684,016 10/10/2000, 09/816,660 03/26/2001

A claim for priority cannot be made based on an application filed after the application making the claim.

Domestic and foreign priority claims will not be captured in a provisional application. A provisional application is not entitled to a right of priority or to the benefit of an earlier filing date of any other application. See 35 USC 111(b)(7) and 37 CFR 1.53(c)(4).

A domestic continuity claim cannot be made to a foreign application and the filing receipt will only list the foreign country, application number, and filing date.

Foreign priority will appear on the Filing Receipt in the following order:  
**Country, Application number, Filing date.**

Customer Service Center  
Office of Initial Patent Examination  
(703) 308-1202